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UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **SAITO, Shuji et al.**

Group Art Unit: **SALIM**

Serial No.: **10/059,152**

Examiner: **Salimi, A.**

Filed: **January 31, 2002**

P.T.O. Confirmation No.: **5985**

For. **RECOMBINANT HERPESVIRUS OF TURKEYS AND USE THEREOF**

**INFORMATION DISCLOSURE STATEMENT AND**  
**STATEMENT PURSUANT TO 37 CFR 1.97(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 15, 2003

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. A copy of the International Search Report and one copy of each of these documents is attached.

This Information Disclosure Statement is submitted after the mailing of a final action, a Notice of Allowance, or an action that otherwise closes prosecution in the application, but on or before payment of the Issue Fee.

The undersigned hereby states that each item of information contained in this statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

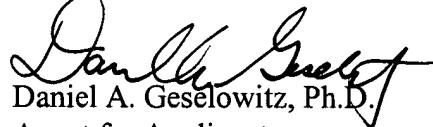
In accordance with 1.704(d), Applicants state that each item of information contained in the Information Disclosure Statement was cited in a communication from a Foreign Patent Office and that this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

The Commissioner is authorized to charge Deposit Account No. 01-2340 for any fee which is deemed by the Patent and Trademark Office to be required to effect consideration of this statement.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP

  
Daniel A. Geselowitz, Ph.D.  
Agent for Applicants  
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DAG/plb  
Atty. Docket No. **020058**  
Suite 1000  
1725 K Street, N.W.  
Washington, D.C. 20006  
(202) 659-2930



**23850**

PATENT TRADEMARK OFFICE

Enclosures: \$180.00 fee, International Search Report, PTO-1449 and 2 references

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TRADEMA  
NCE  
CITATION  
PTO-1449

Atty. Docket No. 020058 Serial No. 10/059,152

Applicant(s): SAITO, Shuji et al.

Filing Date: January 31, 2002 Group Art Unit: SALIM

### U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Name	Date	Class	Subclass	Filing Date (If appropriate)
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AA  
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### FOREIGN PATENT DOCUMENTS

Document No.	Date	Country	Translation (Yes or No)
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AF 1 026 246 A1 8-9-00 Europe  
AG  
AH  
AI  
AJ

### OTHER DOCUMENTS

AK K. Tsukamoto, et al.; "Complete, Long-Lasting Protection against Lethal Infectious Bursal Disease Virus Challenge by a Single Vaccination with an Avian Herpesvirus Vector Expressing VP2 Antigens"; Journal of Virology, vol. 76, no. 11, June 2002, pp. 5637-5645  
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Examiner Date Considered